

1. The State Board of Registration for the Healing Arts is an entity created under § 334.120, RSMo, for the purpose of enforcing the provisions of Chapter 334, RSMo, by registering, licensing, and supervising all physicians and surgeons.

2. Section 334.103, RSMo 2000, states, in pertinent part:

1. The license of a physician shall be automatically revoked at such time as the final trial proceedings are concluded whereby a physician has been adjudicated and found guilty, or has entered a plea of guilty or *nolo contendere*, in a felony criminal prosecution under the laws of the state of Missouri, the laws of any other state, or the laws of the United States of America for any offense reasonably related to the qualifications, functions or duties of a physician, or for any felony offense, an essential element of which is fraud, dishonesty or an act of violence, or for any felony offense involving moral turpitude, whether or not sentence is imposed, or, upon the final and unconditional revocation of the license of a physician to practice the healing arts in another state or territory upon grounds for which revocation is authorized in this state following a review of the record of the proceedings and upon a formal motion of the state board of registration for the healing arts. The license of any such physician shall be automatically reinstated if the conviction or the revocation is ultimately set aside upon final appeal in any court of competent jurisdiction.

3. William J. Bentz, M.D., (hereinafter "Respondent") is licensed by the Board, license number 109898. Respondent's registration is current through January 31, 2006.

4. On or about September 20, 2004, Respondent was served with Notice of Automatic Revocation Hearing by certified mail, return receipt #7003 3110 0004 0213 7499.

5. On or about August 18, 2004, Respondent entered a plea of guilty in the Circuit Court of Newton County, Missouri, Division 1, to the felony offense of Fraudulently Obtaining a Controlled Substance in the case *State of Missouri v. William J. Bentz*, case number 04NW-CR01226.

6. Fraudulently Obtaining a Controlled Substance is a felony offense reasonably related to the qualifications, functions, or duties of a physician.

7. Fraudulently Obtaining a Controlled Substance is a felony offense, an essential

element of which is fraud and dishonesty.

8. Fraudulently Obtaining a Controlled Substance is a felony offense involving moral turpitude.

CONCLUSIONS OF LAW


1. Revocation is authorized in this State pursuant to §334.103, RSMo.
2. The findings of fact as set forth herein show cause for this Board to revoke Respondent's license pursuant to §334.103, RSMo.

DECISION AND DISCIPLINARY ORDER

Pursuant to the above Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED that upon the effective date of this Order, Respondent's license, number 109898, to practice the Healing Arts in the State of Missouri shall be and is hereby REVOKED. Respondent is directed to immediately return to the Board his wall-hanging certificate, license and pocket card, and all other indicia of licensure.

IT IS SO ORDERED, effective this 19 day of October, 2004.

STATE BOARD OF REGISTRATION
FOR THE HEALING ARTS


Tina Steinman
Executive Director